

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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U.S. BANK TRUST, N.A. AS TRUSTEE
FOR LSF9 MASTER PARTICIPATION
TRUST,

Plaintiff,

-against-

ANDREW T. LUCENTI, ROBIN S LUCENTI,

Defendants.
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ORDER ADOPTING R & R

17-CV-632(DRH)(AYS)

HURLEY, Senior District Judge:

Presently before the Court is the Report and Recommendation, dated December 28, 2017, of Magistrate Judge Anne Y. Shields recommending that plaintiff's motion for a default judgment and judgment of foreclosure and sale granted, a Referee be appointed to conduct the sale of the mortgaged premises, damages be awarded in the amount of \$431,670.77 plus attorneys' fees in the amount of \$4,950.00 and costs in the amount of \$1,594.69. More than fourteen days have elapsed since service of the Report and Recommendation and no objections have been filed by Defendants.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and result. Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for a default judgment and judgment of foreclosure and sale against defendants Andrew T. Lucenti and Robin S. Lucenti Fernandez is granted with damages in the amount of \$431,670.77, attorneys' fees in the amount of \$4,950.00 and costs in the amount of \$1,594.69 and post judgment interest pursuant to 28

U.S.C. § 1961(a). The Court will this day enter a Judgment of Foreclosure and Sale consistent herewith.

Dated: Central Islip, N.Y.
January 23, 2018

/s/ Denis R. Hurley
Denis R. Hurley
United States District Judge